

# Notice of Allowability

Application No.

10/687,868

Examiner

Dave A Ghatt

Applicant(s)

FAST ET AL.

Art Unit

2854

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 20 October, 2004.
2. ☒ The allowed claim(s) is/are 1-33.
3. ☒ The drawings filed on 20 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 3-02-04 & 8-18-04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance:

Claim 1 was allowed because the prior art of record does not teach or render obvious the total apparatus claimed, including a forwardly and downwardly extending ledge member along the top edge of the cover member, the ledge member underlying the top lip of the body panel in the closed position and having a freely extending front edge which is spaced forwardly and below the front edge of the top lip and forwardly of the front face of the cover member. US patent 6,266,906 B1 to Nagel teaches similar subject matter, including a forwardly and downwardly extending ledge member, but the forwardly and downwardly extending ledge member is NOT along the top edge of the cover member. Similarly, Nagel teaches a forwardly and downwardly extending top tip, but this forwardly and downwardly extending top lip.

Claim 18 was allowed because the prior art of record does not teach or render obvious the total combination claimed, including a forwardly and downwardly extending ledge member along the top edge of the cover member, the ledge member underlying the top lip of the body panel in the closed position and having a freely extending front edge which is spaced forwardly and below the front edge of the top lip and forwardly of the front face of the cover member in the closed position. US patent 6,266,906 B1 to Nagel teaches similar subject matter, including a forwardly and downwardly extending ledge member, but the forwardly and downwardly extending ledge member is NOT along the top edge of the cover member. Similarly, Nagel teaches a forwardly and downwardly extending top tip, but this forwardly and downwardly extending top lip.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on August 18, 2004 was considered by the Examiner. However, the applicant should note that both references (US 5,515,632 and US 6,568,112) were already submitted in the IDS was filed after the mailing date of the March 2, 2004.

***Conclusion***

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A Ghatt whose telephone number is (571) 272-2165. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAG

A handwritten signature in black ink, appearing to read "Andrew H. Hirshfeld", with a stylized, cursive script.

ANDREW H. HIRSHFELD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800